

REMARKS

Claims 1-10 and 12-21 remain pending in the present application. No amendments were made to the claims. Allowance of all pending claims is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-3 and 12-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,023,724 to Bhatia et al. (hereinafter "Bhatia") for reasons stated on pages 3-6 of the Office Action. Applicants respectfully traverse the rejection.

For anticipation under 35 U.S.C. § 102, the reference "must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present." (MPEP §706.02). "A claim is anticipated only if each and every element as set forth in the claim is found, either **expressly or inherently** described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The rejection 35 U.S.C. § 102(e) is deficient per se. It does not meet the criteria set out above. That is, the Office Action does not show where **each and every** element of claim 1 are **expressly or inherently** described in Bhatia et al. Illustrative examples follow.

The Office Action (OA) states, at item 3, page 2, "As per claim 1, Bhatia et al teach a network modem device configuration system connected to a modem via a local network, the system comprising

a first module sending a request on said local network to said modem to obtain identification and static IP address data from said modem (**see column 24, lines 51-59, column 36, lines 15-60; workstation inquires address of modem**),"

First off, the words "workstation inquires address of modem" cannot be found in the cited passages. Furthermore, "workstation inquires address of modem" is not the limitation of claim 1 cited above. The limitation cited above is clear and the OA does not

Ser. No. 09/830,476

Agent's Ref. 13693-7US/SWA-002US

show where each and every element can be found in in the cited passages of Bhatia et al. The cited passages are much too long for the Applicant to provide a pertinent response as to their pertinence. Exactly, which steps or modules disclosed in Bhatia et al. expressly or inherently meet the language of the foregoing limitation?

Item 3 of the OA further states "a second module receiving a response from said modem and displaying said static IP address, (see column 4, line 45-column 5, line 10, column 36, lines 15-60; **user interface displays network configuration data**)"

First off, the words "user interface displays network configuration data" cannot be found in the cited passages. Furthermore, "user interface displays network configuration data" is not the limitation of claim 1 cited above. The limitation cited above is clear and the OA does not show where each and every element can be found in the cited passages of Bhatia et al. The cited passages are much too long for the Applicant to provide a pertinent response as to their pertinence. Exactly, which steps or modules disclosed in Bhatia et al. expressly or inherently meet the language of the foregoing limitation?

Item 3 of the OA further states "a third module accepting user input to set said static IP address (see column 4, line 45-column 5, line 10, column 37, lines 57-65; **user can configure modem**), and"

First off, the words "user can configure modem" cannot be found in the cited passages. Furthermore, "user can configure modem" is not the limitation of claim 1 cited above. The limitation cited above is clear and the OA does not show where each and every element can be found in the cited passages of Bhatia et al. The cited passages are much too long for the Applicant to provide a pertinent response as to their pertinence. Exactly, which steps or modules disclosed in Bhatia et al. expressly or inherently meet the language of the foregoing limitation?

Item 3 of the OA further states "a fourth module sending a request on said local network to said modem to set said static IP address (see column 24, line 44-column 25, line 9, column 38, lines 1-29; **modem stores IP address**)."

First off, the words "modem stores IP address" cannot be found in the cited passages. Furthermore, "modem stores IP address" is not the limitation of claim 1 cited

Ser. No. 09/830,476

Agent's Ref. 13693-7US/SWA-002US

above. The limitation cited above is clear and the OA does not show where each and every element can be found in the cited passages of Bhatia et al. The cited passages are much too long for the Applicant to provide a pertinent response as to their pertinence. Exactly, which steps or modules disclosed in Bhatia et al. expressly or inherently meet the language of the foregoing limitation?

None of the element of claim 1 are clearly shown to be anticipated. The rejection under 35 U.S.C. § 102(e) is therefore deficient.

The same can be said for the rejections of all other pending claims.

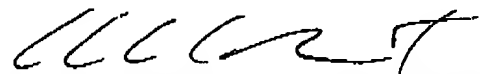
It is requested that the next Office Action be more specific so that the Applicant may provide a proper response.

In view of the foregoing remarks, favorable reconsideration of all pending claims is requested. Applicants respectfully submit that this application is in condition for allowance and requests that a notice of allowance be issued. Should the Examiner believe that anything further is required to expedite the prosecution of this application or further clarify the issues, the Examiner is requested to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

Gilbert MOINEAU, et al.

By:



C. Marc BENOÎT (Reg. No. 50,200)

Telephone No. : (514) 847-4462

Patent agent of Applicants

Customer Number 020988

OGILVY RENAULT

Ser. No. 09/830,476

Agent's Ref. 13693-7US/SWA-002US

- 5 -

CERTIFICATE OF FACSIMILE TRANSMISSION

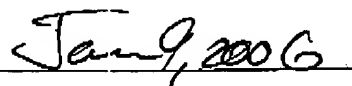
I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office on the date shown below.

C. Marc BENOÎT (Reg. No. 50,200)

Name of person signing certification



Signature



Date

Ser. No. 09/830,476

Agent's Ref. 13693-7US/SWA-002US

- 6 -